



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Office of the Insurance Commissioner

Subject of possible rule making: Unauthorized (surplus line) insurers.

Insurance Commissioner Matter No. R 2011-10

Statutes authorizing the agency to adopt rules on this subject: RCW 48.02.060, RCW 48.15.040(4), and RCW 48.15.090(2)

Reasons why rules on this subject may be needed and what they might accomplish: Chapter 31, Laws of 2011 (HB 1694) amended the statutes. The Commissioner no longer requires an affidavit of due diligence to be filed by surplus line brokers, and instead receives a certification. Unauthorized insurers must meet the minimum financial requirements before business can be placed with the insurer. The proposed rules will amend the existing rules to conform to these statutory changes.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
None

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
☐ Pilot rule making
☐ Agency study

X Other (describe) Submit written comments by: July 1, 2011 to:

Jim Tompkins
PO Box 40258
Olympia, WA 98504-0258
Email: jimt@oic.wa.gov
Fax: 360-586-3109

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Jim Tompkins
PO Box 40258
Olympia, WA 98504-0258
Email: jimt@oic.wa.gov
Fax: 360-586-3109

DATE
May 16, 2011

NAME (TYPE OR PRINT)
Mike Kreidler

SIGNATURE

TITLE
Insurance Commissioner

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OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 16, 2011

TIME: 8:50 AM

WSR 11-11-061